

AGENDA

PERSONNEL BOARD MEETING

December 12, 2008

9:30 a.m.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held November 14, 2008
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Petitioned Position(s)** – None
6. **Oral Arguments**
 - A. Mark Smith v. Energy and Environment Cabinet and Ronald Matar
(Request by Appellant)
 - B. Dexter Warren v. Ky. State Fair Board (Request by both)
7. **Motions** – None
8. **Investigations** – None
9. **Closed Session**
10. **Cases to be Decided**
 - A. Mark Smith v. Energy and Environment Cabinet and Ronald Matar (Promotion –
sustained to the extent, promotion set aside to be redone)
--Appellee's Exceptions
--Appellant's Exceptions, Response to Exceptions and Request for Oral Argument
 - B. Dexter Warren v. Ky. State Fair Board (dismissal & discrimination – appeal
dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Exceptions and Request for Oral Argument
 - C. Nancy Nusz, et al v. Education and Workforce Development Cabinet and
Personnel Cabinet (7 appeals) (Pay equity – appeals sustained)
DEFERRED FROM NOVEMBER MEETING
--Appellee Department of Education's Exceptions and Request for Oral Argument
--Appellee Personnel Cabinet's Exceptions and Request for Oral Argument
--Appellants' Response to Department of Education's Exceptions

- D. Tammy Buckler v. Justice and Public Safety Cabinet (Discrimination – appeal dismissed) **DEFERRED FROM NOVEMBER MEETING**
- E. James Mensing v. Justice and Public Safety Cabinet (Demotion – sustained to the extent of changing demotion from two grades to one)
--Appellee's Exceptions
- F. Kenny Abrams v. Finance and Administration Cabinet (Wage equity – appeal dismissed)
- G. Michael Bates v. Cabinet for Health and Family Services – (Dismissal for poor work performance – appeal sustained to extent of paying back pay through date of notice)
- H. Linda Carnes v. Transportation (Suspension, not reporting for overtime – appeal dismissed)
- I. Darlene Roberts v. Personnel Cabinet (Applicant rejection – appeal dismissed as moot)
- J. Chad Shake v. Justice and Public Safety Cabinet (3-day suspension, time and attendance – appeal dismissed)
- K. Janie Short v. Cabinet for Health and Family Services (5-day suspension, poor work performance – appeal dismissed)
- L. Peggy Sweeney v. Justice and Public Safety Cabinet (denial of compressed work week – appeal dismissed)

Show Cause Orders – No Response Filed – Appeals Dismissed

- M. Elizabeth Venzin v. Cabinet for Health and Family Services
- N. Tiffany Gardner v. Personnel Cabinet

11. Withdrawals

- A. Kelly Durbin v. Personnel Cabinet
- B. Lynlee McKee v. Personnel Cabinet
- C. Karen Moore v. Justice and Public Safety Cabinet
- D. Margaret Raymond v. Education Cabinet
- E. Paul Scott v. Cabinet for Health and Family Services
- *** F. Linda Forbes v. Transportation Cabinet
- *** G. John Murphy v. Personnel Cabinet
- *** H. Stuart A. Reagan, Jr. v. Transportation Cabinet
- *** I. Julie A. Walker v. Transportation Cabinet

12. **Settlements**

- A. Willa Thomas v. Cabinet for Health and Family Services (mediated)
- *** B. Andrew Teasley v. Tourism, Arts and Heritage Cabinet

13. **Other**

- A. Amendment to 101 KAR 1:325 (probationary periods)